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VIA ECF

Hon. Edgardo Ramos
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Securities and Exchange Commission v. Genesis Global Capital et al., 23-cv-287 (ER)

Dear Judge Ramos,

This firm represents defendant Gemini Trust Company (“Gemini”). Pursuant to Rule 1.E of the Court’s Individual Rules and Practices, we write jointly with plaintiff Securities and Exchange Commission (the “SEC”) to respectfully request a 60-day extension of the deadline to complete fact discovery, from December 19, 2024, to February 17, 2025. To accommodate the proposed extension of fact discovery, the parties also request an adjournment of all subsequent discovery deadlines by 60 days.

Document discovery in this matter is nearly complete. To date, Gemini has made five productions to the SEC, while the SEC has made three to Gemini—two of its own, and one consisting of documents obtained by third-party subpoena to Genesis Global Capital. In addition, the parties have engaged in several fruitful meet-and-confer sessions about the SEC’s objections to Gemini’s document requests. As a result of these discussions, the SEC has agreed to search for and produce additional responsive materials.

Good cause exists to extend the current fact discovery deadline, including because Gemini requires sufficient time to review the SEC’s forthcoming document production. Specifically, Gemini anticipates that these documents will yield new information material to its defense in this case, including the names of potential witnesses it may wish to depose.

An amended Civil Case Discovery Plan and Scheduling Order reflecting the proposed adjustments is attached hereto as Exhibit A. This is the parties’ second request to extend the discovery deadlines in this case.

Respectfully submitted,

/s/ Edward J. Reilly
Edward J. Reilly

*Counsel for Plaintiff Securities and
Exchange Commission*

/s/ Andrew Bosse
Andrew Bosse

*Counsel for Defendant Gemini Trust
Company*

cc: All counsel of record